



**Winston H. Hickox**  
Secretary for  
Environmental  
Protection

# California Regional Water Quality Control Board

## Santa Ana Region

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**Gray Davis**  
Governor

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption.  
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## AGENDA ANNOUNCEMENT

### REGIONAL BOARD MEETING

**Friday, November 21, 2003**

**9:00 A.M.**

**Eastern Municipal Water District**

**2270 Trumble Road**

**Perris**

#### NOTICE

Changes and postponements that may occur to this agenda will be placed on our website and automatically forwarded to those who subscribe to our electronic mailing list. Anyone wishing to subscribe to our electronic agenda mailing list may do so, as follows: go to [www.swrcb.ca.gov/rwqcb8](http://www.swrcb.ca.gov/rwqcb8) and choose "Subscribe to Electronic Mailing Lists" from the homepage. Those who are not subscribers should visit our website prior to the board meeting date.

Supporting documents for agenda items are now posted on our website at least 7 days prior to the scheduled meeting. To view or download the documentation, go to [www.swrcb.ca.gov/rwqcb8](http://www.swrcb.ca.gov/rwqcb8) and select the item of interest.

1. **Introductions**
2. **Public Forum** — Any person may address the Board at the commencement of the meeting on any matter within the Regional Board's jurisdiction and not related to an item which is to be considered separately. The Regional Board Chair requests that each person addressing the Regional Board observe a five-minute time limit.
3. **Approval of Minutes of the Special Meeting of September 26, 2003 and the Regular Meeting of October 3, 2003.**  
{Barbara J. Laffoon 909/782-3285 [blaffoon@rb8.swrcb.ca.gov](mailto:blaffoon@rb8.swrcb.ca.gov)}
4. **Consideration of Consent Calendar Items.** (Items marked with an asterisk are expected to be routine and noncontroversial. The Regional Board will be asked to approve these items at one time without discussion. If any interested party, Board Member or staff requests that an item be removed from the calendar, it will be taken up in the order shown.)



- \*5. **Amendment of Waste Discharge Requirements, Order No. R8-2003-0003, Waste Discharge and Producer/User Water Recycling Requirements for Inland Empire Utilities Agency, Regional Water Recycling Plant No. 5, San Bernardino County (NPDES No. CA8000402)** — To change the date for rescission of CDO No. 01-5 and Order No. 01-2 for Regional Plant No. 2 to March 30, 2004. Regional Plant No. 5 will replace Regional Plant No. 2. {Jun Martirez 909/782-3258 [jmartirez@rb8.swrcb.ca.gov](mailto:jmartirez@rb8.swrcb.ca.gov)} Order No. R8-2003-0116
- \*6. **Amendment of Waste Discharge Requirements, Order No. 01-45, Colton/San Bernardino Regional Tertiary Treatment & Water Reclamation Authority, Regional Tertiary Treatment Rapid Infiltration and Extraction Facility, San Bernardino County (NPDES No. CA8000304)** — To delete the receiving water limitation for methylmercury. {Jun Martirez 909/782-3258 [jmartirez@rb8.swrcb.ca.gov](mailto:jmartirez@rb8.swrcb.ca.gov)} Order No. R8-2003-0117
- \*7. **Reissuance of Waste Discharge Requirements, Western Municipal Water District, March Wastewater Reclamation Facility (formerly known as March Air Force Base Wastewater Treatment Plant)** — updated waste discharge requirements for the discharge of wastewater to land and use of recycled water. {Jun Martirez 909/782-3258 [jmartirez@rb8.swrcb.ca.gov](mailto:jmartirez@rb8.swrcb.ca.gov)} } Order No. R8-2003-0113
- \*8. **Cease and Desist Order, Western Municipal Water District, March Wastewater Reclamation Facility, Riverside County** — The Board will consider adoption of a cease and desist order requiring the Discharger to comply with a time schedule to achieve compliance with the total inorganic nitrogen (TIN) waste discharge prohibition contained in Order No. R8-2003-0113. {Gary D. Stewart 909/782-4379 [gstewart@rb8.swrcb.ca.gov](mailto:gstewart@rb8.swrcb.ca.gov)} Order No. R8-2003-0122
- \*9. **Waste Discharge Requirements, Bruce Hohn/AVMGH II Limited Partnership, Temescal Creek Remediation Project/Inert Waste Disposal, Corona, Riverside County** — For the removal and relocation of inert fill materials from Temescal Creek to designated areas within the Hohn Property. *Postponed from October 3, 2003* {Dixie Lass 909-782-3295 [dlass@rb8.swrcb.ca.gov](mailto:dlass@rb8.swrcb.ca.gov)} Order No. R8-2003-0103
- \*10. **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement** — Virginia Buckingham, 6777 Frank Avenue, Mira Loma, Riverside County. {Jun Martirez 909/782-3258 [jmartire@rb8.swrcb.ca.gov](mailto:jmartire@rb8.swrcb.ca.gov)}
11. **Report of Hearing Panel to Full Board, Kaiser Resources** — A Hearing will be conducted by a Panel of three Board members on November 10, 2003. Pursuant to Water Code Section 13228.14, the Panel will report its proposed decision and order to the full Board. The full Board will make an independent review of the record, take additional evidence as may be necessary and may adopt, revise, or reject the proposed decision and order of the Panel. {Kurt V. Berchtold 909/782-3286 [kberchto@rb8.swrcb.ca.gov](mailto:kberchto@rb8.swrcb.ca.gov)} Resolution No. R8-2003-0109
12. **Public Workshop, Basin Plan Amendment, Related to Nitrogen and Total Dissolved Solids Management in the Santa Ana Region** — The Board will conduct a public workshop to receive comments on a proposed amendment to the Water Quality Control Plan (Basin Plan) for the Santa Ana Region to incorporate revised groundwater subbasin boundaries, revised nitrate-nitrogen and total dissolved solids water quality objectives for the revised groundwater subbasins, and a revised total dissolved solids and nitrogen Implementation plan including revised wasteload allocations. The proposed amendment also includes groundwater TDS and

nitrate-nitrogen objectives based on providing "maximum benefit to the people of the state". No action on the proposed amendment will be taken. The Board will consider adoption of the proposed amendment at a subsequent public hearing (information item).

{Hope A. Smythe 909/782-4493 [hsmythe@rb8.swrcb.ca.gov](mailto:hsmythe@rb8.swrcb.ca.gov)}

13. **Administrative Civil Liability Complaint, Pyro Spectaculars, Inc., San Bernardino County** — The Board will consider adoption of Order No. R8-2003-0115 assessing administrative civil liability as proposed in Administrative Civil Liability Complaint No. R8-2003-0114, issued by the Executive Officer on October 28, 2003.

{Ann E. Sturdivant 909/782-4904 [asturdiv@rb8.swrcb.ca.gov](mailto:asturdiv@rb8.swrcb.ca.gov)}

Order No. R8-2003-0115

14. **Mandatory Penalties Complaint, USA Gasoline Corporation, San Bernardino County** — The Board will consider whether to affirm the proposed mandatory penalty complaint for multiple violations of effluent limitations established in Waste Discharge Requirements, Order No. R8-2002-0007. (*Postponed from October 3, 2003*)

{Kenneth R. Williams 909/782-4496 [kwilliams@rb8.swrcb.ca.gov](mailto:kwilliams@rb8.swrcb.ca.gov)}

Mandatory Penalties Complaint No. R8-2003-0093

15. **Mandatory Penalties Complaint, Ross Pallets, Inc., Orange County** — The Board will consider whether to affirm the proposed mandatory penalty complaint for violations of the General Permit for Storm Water Discharges Associated with Industrial Activity, Order No. 97-03-DWQ, NPDES No. CAS000001.

{Mark E. Smythe 909/782-4998 [msmythe@rb8.swrcb.ca.gov](mailto:msmythe@rb8.swrcb.ca.gov)}

Mandatory Penalties Complaint No. R8-2003-0019

16. **Mandatory Penalties Complaint, Pilkington Aerospace, Inc., Orange County** — The Board will consider whether to affirm the proposed mandatory penalty complaint for violations of the General Permit for Storm Water Discharges Associated with Industrial Activity, Order No. 97-03-DWQ, NPDES No. CAS000001.

{Mark E. Smythe 909/782-4998 [msmythe@rb8.swrcb.ca.gov](mailto:msmythe@rb8.swrcb.ca.gov)}

Mandatory Penalties Complaint No. R8-2003-0118

17. **Administrative Civil Liability Complaint, Consolidated Container Co., Orange County** — The Board will consider whether to affirm, reject or modify the proposed administrative civil liability complaint for violations of the General Permit for Storm Water Discharges Associated with Industrial Activity, Order No. 97-03-DWQ, NPDES No. CAS000001.

{Mark E. Smythe 909/782-4998 [msmythe@rb8.swrcb.ca.gov](mailto:msmythe@rb8.swrcb.ca.gov)}

Administrative Civil Liability Complaint No. R8-2003-0120

18. **Status Report on Rialto-Colton-Fontana Perchlorate Investigation** — Staff will provide an update on the progress of investigation of perchlorate pollution in this area (information item).

{Ann E. Sturdivant 909/782-4904 [asturdiv@rb8.swrcb.ca.gov](mailto:asturdiv@rb8.swrcb.ca.gov)}

19. **Nomination and Election of Regional Board Officers for 2004** (action item).

{Barbara J. Laffoon 909/728-3285 [blaffoon@rb8.swrcb.ca.gov](mailto:blaffoon@rb8.swrcb.ca.gov)}

20. **Board Meeting Dates and Locations for 2004** — The Board will consider adoption of a calendar of meeting dates and locations for 2004 (action item).

{Barbara J. Laffoon 909/728-3285 [blaffoon@rb8.swrcb.ca.gov](mailto:blaffoon@rb8.swrcb.ca.gov)}

21. **Sewage Spill Incidents Report** — Lists of such incidents will be provided as an information item to the Regional Board (information item).

{Kurt V. Berchtold 909/782-3286 [kberchto@rb8.swrcb.ca.gov](mailto:kberchto@rb8.swrcb.ca.gov)}

22. **Quarterly Violations Report** — A list of violations will be provided to the Board as required by the State Water Resource Control Board's Water Quality Enforcement Policy (information item). {Gary D. Stewart 909/782-4379} [gstewart@rb8.swrcb.ca.gov](mailto:gstewart@rb8.swrcb.ca.gov)
23. **General Permits** — Staff will provide a list of all new permittees recently enrolled under the Region's general permits (information item). {Jun Martinez 909/782-3258} [jmartire@rb8.swrcb.ca.gov](mailto:jmartire@rb8.swrcb.ca.gov)
24. **Executive Officer's Report** (information item). {Gerard J. Thibeault 909/782-3284} [gthibeau@rb8.swrcb.ca.gov](mailto:gthibeau@rb8.swrcb.ca.gov)
25. **Regional Board Member Communications** — Board Members may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Regional Board's jurisdiction. There will be no voting or formal action taken.
26. **Closed Session:** At any time during the regular session, the Regional Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based upon evidence introduced during a hearing. Discussion of litigation is within the attorney/client privilege and may be held in closed session.

**Authority:** Government Code Section 11126 (a), (c)(3), and (e). Items which may be discussed in closed session by the Board include litigation related to:

1. Stringfellow Hazardous Waste Site
  2. Potential litigation: Discussion of Executive Officer's referral to the District Attorney of Clean Water Act violations for criminal prosecution.
  3. Kwikset Corporation v. California Regional Water Quality Control Board, Santa Ana Region, Superior Court for Riverside County, Case No. 391541.
  4. Emhart Industries, Inc. v. California Regional Water Quality Control Board, Santa Ana Region, Superior Court for Riverside County, Case No. 397528.
  5. Yucaipa Glen LLC
  6. Potential litigation: Cities of Rancho Cucamonga and Upland v. California Regional Water Quality Control Board, Santa Ana Region, and State Water Resources Control Board, Superior Court for San Bernardino County, Case No. RCV 071613.
  7. Waste Discharge Requirements for the Rapid Infiltration and Extraction Facility (RIX).
27. **Adjournment** to the regular meeting of Thursday, January 22, 2004, at 9:00 a.m., at the City Council Chambers of Loma Linda.

#### NOTICES

Any person who has a disability and requires special accommodation to participate in this Regional Board Meeting should contact Barbara Laffoon [blaffoon@rb8.swrcb.ca.gov](mailto:blaffoon@rb8.swrcb.ca.gov) or at 909/782-3285 no later than ten (10) days prior to meeting.

Any person interested in obtaining information and/or providing input regarding pending applications for Water Quality Standards Certification under Section 401 of the Federal Clean Water Act may do so by contacting Mark G. Adelson at (909) 782—3234.

**California Regional Water Quality Control Board - Santa Ana Region**  
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**BOARD INFORMATION SHEET**

**BOARD MEMBERS**

Carole H. Beswick, Chair  
Fred M. Ameri, Vice-Chair  
John B. Withers  
Jose J. Solorio  
Seymour D. Van Gundy  
Joan L. Dotson  
William Ruh  
Sukhee Kang  
Vacant

**APPOINTMENT CATEGORY**

County Government  
Industrial Water Use  
Water Quality  
Municipal Government  
Water Quality  
Water Supply  
Recreation, Fish and Wildlife  
Undesignated (Public)  
Irrigated Agriculture

**STATE BOARD LIAISON**

Peter S. Silva

**STAFF LEGAL COUNSEL**

Jorge Leon

**REGIONAL BOARD SENIOR STAFF**

Gerard J. Thibeault, Executive Officer  
Kurt V. Berchtold, Assistant Executive Officer, Ombudsman  
Joanne E. Schneider, Environmental Program Manager  
Robert L. Holub, Supervising Water Resource Control Engineer  
Michael J. Adackapara, Supervising Water Resource Control Engineer  
Gary D. Stewart, Chief of Surveillance and Enforcement  
Dixie B. Lass, Chief of Land Disposal  
Stephen D. Mayville, Chief of Dairies/Chino Basin  
Wanda Marquis-Smith, Chief of Basin Planning - Coastal Waters  
Hope A. Smythe, Chief of Basin Planning - Inland Waters  
Mark G. Adelson, Chief of Regional Planning Programs  
Mark E. Smythe, Chief of Stormwater - Coastal  
Milasol C. Gaslan, Chief of Stormwater - Inland  
Jun Martinez, Chief of Regulations  
Ann E. Sturdivant, Chief of SLIC/Department of Defense  
Kenneth R. Williams, Chief of Pollutant Investigations  
Dorothy Wolfinbarger, Regional Administrative Officer  
Barbara Laffoon, Executive Assistant

**GENERAL STATEMENT**

The primary duty of the Regional Board is to protect the quality of the waters within the Region for all beneficial uses. This duty is implemented by formulating and adopting water quality control plans for all ground and surface water bodies in the region and by prescribing and enforcing requirements on waste discharges. The specific responsibilities and procedures of the Regional Water Quality Boards and the State Water Resources Control Board are outlined in the Porter-Cologne Water Quality Control Act (Division 7, California Water Code).

The purpose of this meeting is for the Board to obtain testimony and information from concerned and affected parties and make decisions after considering the recommendations made by the Executive Officer. The Board and the staff welcome information on pertinent problems but comments at the meeting should be brief and directed to specifics of the case to enable the Board to take the appropriate action. Whenever possible, lengthy testimony should be presented to the Board in writing one week before the scheduled meeting and only a summary of pertinent issues to be presented verbally. For each matter considered, relevant Regional Board files are incorporated into the record.

A copy of the procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code Section 11500 et seq.

#### DISCLOSURE STATEMENT

All persons who actively support or oppose the adoption of waste discharge requirements or NPDES permits pending before the Regional Board, must submit a statement to the board disclosing any contribution of \$250.00 or more to be used in a federal, state, or local election, made by the action supporter or opponent, or his/her agent, within the last twelve months to any Regional Board Member.

Also, all permit applications and all persons who actively support or oppose adoption of a set of waste discharge requirements and/or NPDES permits pending before the Regional Board are prohibited from making contributions of \$250.00 or more to any Board member for three months following a Regional Board decision on the permit application.

#### RIGHT TO PETITION

Any person affected adversely by a decision of the California Regional Water Quality Control Board, Santa Ana Region (Regional Board), may petition the State Water Resources Control Board (State Board) to review the decision. The petition must be received by the State Board within thirty days of the Regional Board's meeting at which the adverse action was taken. Copies of the law and regulations applicable to filing petitions will be provided upon request to the Regional Board.

NOTE: The agenda items are numbered for identification purposes only and will not necessarily be considered in the order listed. The Public Forum item will be limited to one hour.

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